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UNCLAS SECTION 01 OF 02 PORT AU PRINCE 000327

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STATE FOR WHA/EX AND WHA/CAR  
S/CRS  
SOUTHCOMALSO FOR POLAD  
STATE PASS AID FOR LAC/CAR  
INR/IAA (BEN-YEHUDA)  
WHA/EX PLEASE PASS USOAS

E.O. 12958: N/A  
TAGS: [PGOV](#) [PREL](#) [KDEM](#) [HA](#)  
SUBJECT: ELECTION RESULTS: TWO MONTHS LATER...

REF: A. 06 PAUP 2246  
[1](#)B. 06 PAUP 2317

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[1](#)1. (SBU) Summary. Two months after the December 3 elections, the Provisional Electoral Council (CEP) has not certified any local or municipal election results. The CEP has certified results of the re-run legislative races, and parliament has sworn in those lawmakers, leaving both houses short one member due to a death in the senate and the invalidation of one deputy race. The CEP indicates that it will re-run at least 70 local races and has announced these will take place on March 11, but no informed observer believes the CEP can meet that date. Since the resignation of former CEP Director General Bernard on December 14, the CEP is again missing deadlines and appears unable to take decisions. Concerns and rumors are growing that the executive will have to step in to finalize local election results. End Summary.

#### Challenges and Reruns

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[1](#)2. (U) Acting Director General (and board member) of the CEP Francois Benoit told Poloff on February 8 that the CEP plans to re-run 70 of the elections originally held on December 3. The CEP did not certify results in 65 races due to election-day violence or administrative flaws. Additionally, the CEP's National Contestation Office (BCN) ruled in favor of candidates challenging the results in five other races, finding significant fraud or irregularities. The re-run elections will include one deputy race, ten municipalities (mayor and deputy mayors), five town delegates (delegue de ville), 29 county district councils (ASEC) and 25 county councils (CASEC). (Ref A details the convoluted structure of local government in Haiti and the jurisdictional authority of the offices listed above.)

[1](#)3. (U) The BCN received 104 challenges to the December 3 election results and has ruled on 58 (including the five accepted challenges). Twenty eight cases await final ruling from the BCN; candidates did not pursue their challenges in the remaining 24 cases. Benoit told Poloff that he expected the CEP to rule on outstanding challenges by the end of February. Additional rulings in favor of appealing candidates would raise the number of elections the CEP must

repeat.

#### Results and Rerun Timeline

14. (U) The executive announced an inauguration for all local and municipal officials on February 12, but did not meet that date. Benoit had told Poloff during their February 8 conversation that the CEP had certified the results for the municipalities not subject to challenge and would send them to the executive the following day for ratification and publication in the government's official register. The CEP did not send the results to the executive, and Benoit subsequently told Poloff on February 14 that the CEP was holding those results pending a meeting with the Prime Minister and resolution of a dispute regarding how mayors would be inaugurated. Benoit maintained that the results for the town delegates were forthcoming,<sup>8</sup> but stated that the CEP would not certify ASEC and CASEC results pending the completion of ASEC and CASEC posts requiring re-run elections, because all ASEC and CASEC members must elect interdepartmental councils within eight days of certification of the results.

15. (U) Benoit told Poloff, and the CEP subsequently publicly announced, that elections needing to be re-run will occur on March 11. The CEP has already negotiated the price of new ballots with the printer and started discussing election security with MINUSTAH. The budget for the remaining elections is estimated at USD 1.3 million. Benoit states that the UNDP has a sufficient balance from previous rounds to fund a fourth round without seeking new pledges from donors.

Parliament: Almost Complete

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16. (U) Parliament swore in the three newly elected senators from the Northeast Department on February 5 and ten new deputies on February 12. Both the senate and the chamber of deputies remain one member short of their full complement of 30 and 99 members, respectively. The CEP invalidated the deputy race in the LaChapelle district of the Artibonite Department after a local mob stole the tally sheets with the results during their transport to the tabulation center in Port-au-Prince (ref B). Senator Noel Emmanuel Limage's (Lespwa-Artibonite) death in a car on January 23 accounts for the senate vacancy. Haiti's constitution calls for a special election within 30 days to fill a senate vacancy, but the CEP is making no preparations. Senate sources indicate the seat will remain vacant until the next scheduled senate races (for one third of the senate's seats) in November.

17. (SBU) Comment: It is hard to tell whether the work of the CEP has slowed to a crawl or ground to a halt. As feared after the resignation of former Director General Jacques Bernard on December 14, the CEP has reverted to the dysfunctional performance it demonstrated during the 18 months before his appointment. Despite Benoit's reassurances that thus and such decisions and actions are forthcoming, the CEP continues to miss deadlines, and no informed observer of the CEP believes it can hold rerun elections on March 11. As rumors abound in Haiti, the word is spreading among international experts and some government officials that Interior Minister Paul Antoine Bien-Aime will dissolve the CEP and have the interior ministry finish the work of certifying the local elections, organizing the elections of the interdepartmental councils, and ultimately overseeing the selection of a permanent electoral council. While the executive would have to turn some legal and constitutional cartwheels to effect that action, we would not anticipate a serious controversy as most Haitians would be happy enough to be done with this demonstrably incompetent CEP. However, we wonder whether the interior ministry or any other part of the

executive could muster the necessary initiative to take on a project as messy as finalizing the local elections and seeing through the subsequent indirect elections. Thus, the end of the local elections remains very much up in the air, and looming in the near future, as mentioned above, are the scheduled general elections in November for the senate. End Comment.  
SANDERSON